



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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STEPHEN R. MILLER
CHIEF

November 28, 2011

MEMORANDUM

To: Senator Grothman

From: Aaron Gary, Senior Legislative Attorney, (608) 261-6926

Subject: Technical Memorandum to **2011 SB 276** (LRB-2909/1) **by DOR**

We received the attached technical memorandum relating to your bill. This copy is for your information and your file.

If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

MEMORANDUM

November 15, 2011

TO: Aaron R. Gary
FROM: Paul Ziegler
Department of Revenue

SUBJECT: Technical Memorandum on Senate Bill 276: relating to municipal quotas for retail intoxicating liquor licenses

This bill modifies the "Class B" quota exception for a full service restaurant by removing the requirement that the restaurant have a seating capacity of 300 or more persons and adding a definition of "full service restaurant" (to limit the exception to establishments where meals are prepared, served, and sold to customers for consumption on the premises and where alcohol beverage sales account for 50% or less of the restaurant's gross receipts for the most recent licensing year).

The department has two concerns with the bill:

1. Current law, sec 125.51 (3r), allows an opened, partially consumed bottle of wine to be taken off the licensed premises of a restaurant, under certain conditions. The author of the bill may wish to make this option available to customers of full service restaurants receiving licenses under this bill.
2. The bill is effective the day after publication. The author of the bill may wish to provide a period of time for municipalities to establish procedures for local administrative duties under the bill by making the bill effective the first day of the 3rd month after publication.

cc: Senator Grothman